

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

In Re: Request for Rulemaking Regarding
Reconsideration of *IBM Corp.*,
341 NLRB 1288 (2004)

ORDER¹

By letter dated March 9, 2018, Charles S. Strickler, Jr. (Petitioner) filed a second request with the National Labor Relations Board asking the Board, based on changed circumstances, to use its rulemaking power to reverse the Board's decision in *IBM Corp.*, 341 NLRB 1288 (2004), and extend *Weingarten*² rights to employees who are not represented by a union.³ After consideration of the Petitioner's second request, the Board has again decided not to exercise its discretionary authority to engage in rulemaking at this time with respect to this issue.

Dated, Washington, D.C., May 9, 2018

Mark Gaston Pearce,	Member
Lauren McFerran,	Member
Marvin E. Kaplan,	Member
William J. Emanuel,	Member

¹ Chairman Ring is recused and took no part in the consideration of this matter.

² *NLRB v. J. Weingarten, Inc.*, 420 U.S. 251 (1975).

³ The Petitioner's first rulemaking request regarding this same matter was denied by Order issued May 3, 2017.